

Docket No.: 62807-129

FILE COPY
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Takeo FUJIMOTO, et al.

Serial No.: 10/625,732

Filed: July 18, 2003

For: STORAGE SUBSYSTEM AND ITS CONTROLLING METHOD

Customer Number: 20277

Confirmation Number:

Group Art Unit:

Examiner:

REQUEST FOR OFFICIAL FILING RECEIPT

Mail Stop OFR
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The above-referenced patent application was filed in the U.S. Patent and Trademark Office on July 24, 2003, as evidenced by the attached copies of the return receipt postcard and Transmittal Letter. To date, the undersigned has not received an official Filing Receipt regarding this application.

It is respectfully requested that the undersigned be furnished with an Official Filing Receipt as soon as possible.

Respectfully submitted,

MCDERMOTT, WILL & EMERY


Keith E. George
Registration No. 34,111

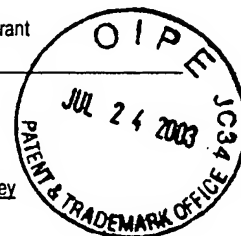
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Facsimile: (202) 756-8087
Date: February 2, 2004

Applicant: Takeo FUJIMOTO, et al.Docket No. 62807-129Title: STORAGE SUBSYSTEM AND ITS CONTROLLING METHOD

Serial/Reg./Patent No. _____

Date Sent: 7/24/2003☒ Hand Carried☐ Fax☐ Electronic☐ Cert. of Mailing☐ Express Mail No. _____☒ Transmittal Letter

New Patent App

☐ Utility☐ Design☒ Cont.☐ CIP☐ Div.☐ PCT☐ RCE☐ Prov☐ Other: _____31 pages of Specification4 pages of Claims1 pages of Abstract10 pages of Formal/Informal Drawings☐ Small Entity☐ Large Entity☒ Declaration/Power of Attorney☐ Recordation of Assignment/Security Agreement☒ Information Disclosure Statement1 Form PTO 14490 copies of cited references☒ Preliminary Amendment☐ Response to Missing Parts Notice☐ Resp. to Notice to Correct App. Papers☐ Certified Copy of Priority Doc.☐ Claim for Convention Priority☐ Response/Amendment to Office Action of _____☐ Request for _____ month Extension of Time☐ Letter submitting _____ pages of drawings☐ Req. for Approval of Drawing Amendments☐ Req. for Oral Hearing☐ Not. of Appeal ☐ Appeal Brief☐ Reply Brief☐ Rule 312 Amendment/Letter☐ Req. for Acknowledgement of Cited Art☐ Issue Fee☐ Publication Fee☐ Req. for Certificate of Correction☐ Maintenance Fee for _____ years after grant☐ Fee Address Indication Form☐ Terminal Disclaimer☐ Petition to Commissioner☐ Status Inquiry☒ Other Copy of Associate Power of Attorney

Check for \$

☒ Charge Deposit Acct. 500417\$**750.00**

Atty Init.

KEG

Tkpr. #

4235

Secy. or PL:

BPatrickCMS Descrip.: (1) 750.00

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.

**REQUEST FORM FOR
APPLICATION UNDER 37 CFR 1.53(b)**

DOCKET NUMBER: 62807-129

Prior Application:

Art Unit: 2187

Examiner: Nguyen

BOX

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for filing a **Continuation** application under 37 CFR 1.53(b) of pending prior application Serial No. **09/987,894**, filed on **November 16, 2001**, entitled **STORAGE SUBSYSTEM AND ITS CONTROLLING METHOD**, by the following named inventors: Takeo FUJIMOTO and Shigeru KISHIRO.

1. ☒ I hereby state that the enclosed application contains no new matter.
2. Oath or Declaration
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
 - i. ☐ Deletion of inventor(s)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
3. ☒ Incorporation By Reference (useable if Box 2b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
4. ☒ Preliminary Amendment is enclosed.
5. ☒ An Information Disclosure Statement and PTO1449 Form are submitted herewith.
6. ☒ Cancel claims 1-9.

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

| | NO. OF CLAIMS | | EXTRA CLAIMS | RATE | AMOUNT |
|---|------------------|-----|-----------------|-----------|-----------------|
| Total Claims | 19 | -20 | 0 | \$18.00 = | \$0.00 |
| Independent Claims | 3 | -3 | 0 | \$84.00 = | \$0.00 |
| Basic Application Fee | | | | | \$750.00 |
| If multiple dependent claims are presented, add \$0.00 | | | | | \$0.00 |
| Total Application Fee | | | | | \$750.00 |
| Subtract ½ if small entity | | | | | \$0.00 |
| TOTAL APPLICATION FEE DUE | | | | | \$750.00 |
| AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417 | | | | | \$750.00 |

- 7a. ☐ Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.
- 7b. ☐ A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.
- 8a. ☒ **PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$750.00**
- 8b. ☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Serial No. 09/987,894, or credit any overpayment to Deposit Account No. 500417.
9. ☒ Amend the specification by inserting before the first line the sentence:
 --This application is a **continuation** of Application Serial No. 09/987,894 filed November 16, 2001---
10. ☒ Priority of Application Serial No. 2001-140954 filed on May 11, 2001, in Japan is claimed under 35 USC 119. The certified priority document was filed in Serial No. 09/987,894 on November 16, 2001.
11. ☒ The prior application is assigned of record to

HITACHI, LTD.
Tokyo, JAPAN

12. ☒ The power of attorney in the prior application is to:
 McDermott, Will & Emery
13. ☒ Also enclosed:
 Associate Power Of Attorney

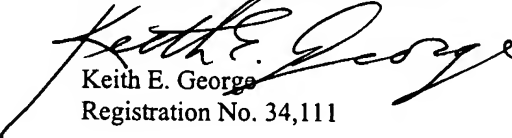
14. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until .

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

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CUSTOMER NUMBER 20277

Respectfully submitted,

MCDERMOTT, WILL & EMERY


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